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11 Attorneys for Defendant
GOOGLE INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 ORACLE AMERICA, INC.,

16 Plaintiffs,

17 v.

18 GOOGLE INC.,

19 Defendant.
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Case No. CV 10-03561 WHA

**GOOGLE'S RESPONSE TO ORACLE'S
OBJECTION TO TENTATIVE TRIAL
DATE**

Dept. Courtroom 8, 19th Fl.
Judge: Hon. William Alsup

1 On October 13, 2015, the parties filed a joint stipulation reporting that they had “conferred
2 and are amenable to the final pretrial conference date, April 27, 2016, at 8:00 a.m., and the
3 tentative trial date, May 9, 2016.” ECF No. 1334 at 1. Since that joint filing, Oracle has
4 submitted an objection to the trial date (ECF No. 1335) and, as ordered by the Court, an
5 explanation of that objection (ECF No. 1346).

6 In light of the filings over the week since the parties noted their agreement with the
7 proposed May 9, 2016 trial date, Google reiterates that the May tentative trial date set by the
8 Court is workable for both Google’s counsel and its witnesses. Conversely, many of Google’s
9 witnesses have conflicts with a July trial date, and Google’s lead counsel commences a jury trial
10 before Judge Freeman on August 1, 2016.

11 Oracle’s filing regarding its objection to the tentative trial date concedes that, aside from
12 its Head of Litigation and General Counsel, “the in-house teams on the matters are otherwise
13 distinct.” ECF No. 1346 at 1. Neither that filing nor Oracle’s original objection identify any
14 actual conflicts for trial counsel or witnesses in the cases. Oracle does claim that both cases
15 “require the close attention of Oracle’s senior executives,” ECF No. 1335 at 1, but fails to identify
16 any witnesses who will be required to testify at trial in either or both cases. Nor are the trial dates
17 necessarily in conflict; the trials are currently set to commence two weeks apart.

18 Thus, Google respectfully requests that the Court maintain the scheduled tentative trial
19 date in this matter.

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21 Dated: October 20, 2015

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